REMARKS

Claims 25 - 44 are pending in this application.

Response to Restriction Requirements

Election of Invention

The Action identified three Gourps of invention, as follows:

Group I: claims 25-31 and 33-35 directed to compounds of formula I and compositions containing the compounds of formula I;

Group II: claims 32, 43 and 44 directed to processes of preparing the compounds of formula I; and

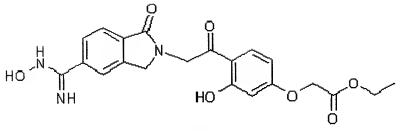
Group III : claims 36-42 directed to methods of using compounds.

Applicant elects the invention of Group I for examination with traverse.

Provisional Election of Species

The Action identifies the compounds of claims 29 – 31 as species and states "[t]his application contains claims directed to more than one species of the generic invention."

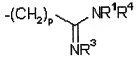
Applicant provisionally elects the species provided in Example 42 in the specification as filed with traverse. The compound of Example 42 [(3-Hydroxy-4-{2-[5-(N-hydroxycarbamimidoyl)-1-oxo-1,3-dihydro-isoindol-2-yl]-acetyl}-phenoxy) acetic acid ethyl ester)] is structurally represented as follows:



This compound is encompassed in formula (I) – of claim 25 – wherein:

ring A is phenyl;

R^A is a group of formula (3):



Formula 3

wherein in the group of formula 3; p is 0; R^1 is hydroxy; R^3 is H; and R^4 is H;

Y^1 and Y^2 together represent O;

Z is N;

W is CH_2;

n is 0;

R^D is H;

R^E is H;

R^F is O;

R^G is aryl (aryl is phenyl); wherein the phenyl group is substituted by a group of formula (5):

$$T\text{-}(CH_2)_q\text{-}CR^{23}R^{24}\text{-}COR^{25} \quad \text{(Formula 5);}$$

wherein in the group of formula 5; T is O; q is 0; R^{23} = R^{24} = H and R^{25} is OR^5 wherein R^5 is alkyl (alkyl is ethyl).

Claims 25-27, 29-30 and 32-42 read on the provisionally elected species.

Traverse of Restriction of Invention and Species

Applicant respectfully requests reconsideration of the restriction and election of species requirements for the following reasons. MPEP § 803 states that there are two requirements for restriction between patentably distinct inventions:

> **(A)** The inventions must be independent (see MPEP § 802.01, § 806.04, § 808.01 or distinct as claimed (see MPEP § 806.05 - § 806.05(i)); and
>
> **(B)** There must be a serious burden on the examiner if restriction is required (see MPEP § 803.02, § 806.04(a) - § 806.04(i), § 808.01(a), and § 808.02).

(A) The Action states that the inventions listed as Groups I – III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for not containing a static core structure in the structure of formula I.

Applicant submits that in the compounds of formula (I), as presented in the claim 25, the following variables are recite specific groups:

ring A is phenyl group;

the groups Y^1 and Y^2 together are selected from =O or =S;

Z is N; and

W is CH_2;

The core structure is a 1-(thio)oxo-1,3-dihydroisoindol-2-yl moiety. The "N" atom at position 2 of the isoindolyl moiety is substituted with a group of formula $-(CH_2)n-C(R^DR^E)-C(=R^F)R^G$. Thus, contrary to the Examiner's assertions, the compounds encompassed by formula I as defined in the independent claim 25 contain a **static core structure;** the substituted 1-(thio)oxo-1,3-dihydroisoindol-2-yl moiety. Moreover, the compounds encompassed by formula I as defined in claim 25 share a common activity as inhibitors of the platelet glycoprotein IIb/IIIa fibrinogen receptor complex. Thus, Applicant submits that the inventions listed in Groups I – III relate to a single general inventive concept, since the compounds encompassed by formula I share: 1) a structural element, the substituted 1-(thio)oxo-1,3-dihydroisoindol-2-yl moiety; and 2) a common activity as inhibitors of the platelet glycoprotein IIb/IIIa fibrinogen receptor complex.

(B) The Action establishes no basis that there would be any additional burden to examine all claims as listed the identified Groups I, II, and III or all the alleged species. Indeed, the Action does not even indicate the classification under which the Groups fall.

It should be noted that claims 32, 43 and 44 (Group II) and claims 36-42 (Group III) depend from claim 25. Therefore, examination of the entire application, *i.e.* claims 25-44, can be made without serious burden.

Based on the foregoing, Applicant submits that the restriction of invention and restriction of species requirements are improper. Applicant requests that the USPTO should rejoin Groups I -III.

Conclusion

If the Examiner believes that any additional matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing remarks, Applicant respectfully submits that the present application, including claims 25 - 44, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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